ADAMS, J.

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

)
) CASE NO. 4:06CV1808
Judge John R. Adams
) ORDER
)
) (Resolves Docs. 72, 73)

Pending before the Court is Plaintiff's motion to compel discovery (Doc. 72) and motion to extend the discovery and dispositive motion deadlines (Doc. 73). Plaintiff Lee D. Williams filed his motions on June 3, 2009. For the reasons that follow, the motions are DENIED.

In his motion to extend the deadlines in this matter, Williams contends that Defendant Dr. Haddad has failed to turn over relevant discovery documents. Williams reiterates this same argument in his motion to compel. With respect to the motion to compel, there is no indication that Williams has attempted to comply with Local Rule 37.1 prior to filing his motion. That alone is sufficient to warrant denial of the motion. The Court, however, does not rest its ruling on that failure. The Court initially set a discovery deadline of February 27, 2009. That deadline was extended to May 1, 2009 through order of the Court on February 26, 2009. Williams did not place his motion to compel in the mail until May 28, 2009. Accordingly, Williams did not seek to compel discovery until well after the discovery cutoff had passed. His motion to compel (Doc. 72), therefore, is untimely and DENIED.

Furthermore, Williams' motion to extend the deadlines in this matter raises no argument

Case: 4:06-cv-01808-JRA Doc #: 78 Filed: 06/09/09 2 of 2. PageID #: 503

that is not contained in his motion to compel. For the same reasons, his motion must be denied.

Williams seeks to extend these deadlines to engage in further discovery. However, the discovery

deadline passed four weeks prior to Williams filing his request to extend that deadline. For that

matter, Williams moved for partial summary judgment prior to filing the instant motion.

Furthermore, the motion to extend makes clear that Williams seeks further discovery as a result of

Dr. Haddad's motion to exclude the evidence Williams has relied upon in support of his motion for

summary judgment. Accordingly, Williams has not provided a proper basis for extending

discovery. His motion to extend deadlines (Doc. 73) is DENIED.

IT IS SO ORDERED.

June 9, 2009

Date

/s/ John R. Adams

Judge John R. Adams

United States District Court